

Glenda Nogami Streufert
Chair

Donna Apisa
Vice Chair

Members:
Melvin Chiba
Helen Cox
Francis DeGracia
Roy Ho
Lori Otsuka

RECEIVED

20 AUG -1 P4:00

COUNTY OF KAUAI PLANNING COMMISSION
NOTICE OF TELECONFERENCE AGENDA

Tuesday, August 11, 2020
9:00 a.m. or shortly thereafter

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

Microsoft Teams Audio: +1 469-848-0234, Conference ID: 775 371 621#

The meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

1. Meeting of May 26, 2020

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT The Planning Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted in writing to planningdepartment@kauai.gov or mailed to the County of Kauai Planning Department, 4444 Rice Street, Suite 473, Lihue, Hawaii 96766. Written testimony received by the Planning Department before 9:00 a.m. on Monday, July 13, 2020, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, July 13, 2020, will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.

1. Continued Agency Hearing

2. New Agency Hearing

- a. Special Management Area Use Permit SMA(U)-2020-7, Class IV Zoning Permit Z-IV-2020-16, and Use Permit U-2020-13 to allow construction of a new craft brewery building and associated site improvements including on-site parking, driveway, pedestrian bridge, private wastewater system, and operation of food trucks, on a parcel situated on the mauka side of Kuhio Highway in Hanalei Town, approx. 550 ft. east of the Kuhio Highway/Aku Road intersection, immediately adjacent to property identified as 5-5091 Kuhio Highway, Tax Map Keys: (4) 5-5-009:008 & 009, and

F. **HEARINGS AND PUBLIC COMMENT** (Cont'd)

2. **New Agency Hearing** (Cont'd)

containing a total area of 4.165 acres = ***Hanalei Commercial Company, Inc./Na Pali Brewing Company, LLC.*** [Director's Report, S1DR and attachments to S2DR received by Commission Clerk 7/28/20.]

1. Director's Report pertaining to this matter.
 2. Supplement No. 1 to Director's Report pertaining to this matter.
 3. Supplement No. 2 to Director's Report pertaining to this matter.
- b. Class IV Zoning Permit Z-IV-2021-1 and Use Permit U-2021-1 to allow operation of a pre-school facility on the West Kauai United Methodist Church property in Kekaha, situated at the corner of Pueo Road & Elepaio Road, further identified as 8563 Elepaio Road, Tax Map Key: (4) 1-3-010:085, and containing a total area of 44,000 sq. ft. = ***Child & Family Services.*** [Director's Report received by Commission Clerk 7/28/20.]
1. Director's Report pertaining to this matter.
 2. Supplement No. 1 to Director's Report pertaining to this matter.
- c. Class IV Zoning Permit Z-IV-2021-2 and V-2021-1 to allow deviations from the setback requirements for the construction of a single-family residence on a parcel situated on the makai side of Kalapaki Circle in Kalapaki, approx. 1,000 ft. south of the Hoolaulea Way/Kalapaki Circle intersection, immediately adjacent to the Kauai Marriott Resort, further identified as Tax Map Key: (4) 3-5-002:022, and containing a total area of 5,065 sq. ft. = ***Gregory L. & Kimberly A. Stein.*** [Director's Report received by Commission Clerk 7/28/20.]
1. Director's Report pertaining to this matter.
 2. Supplement No. 1 to Director's Report pertaining to this matter.

3. **Continued Public Hearing**

1. Zoning Amendment ZA-2020-14: A bill for an ordinance amending Chapter 8, Kauai County Code, 1987, as amended, relating to Comprehensive Zoning Ordinance (CZO). The proposal amends Section 8-27 of the CZO relating to Shoreline Setback and Coastal Protection = ***County of Kauai, Planning Department.*** [Meeting cancelled 3/24/20, Director's Report received and hearing continued 5/12/20, hearing continued 6/9/20.]
1. Supplement No. 1 to Director's Report pertaining to this matter.

4. **New Public Hearing**

5. **All remaining public testimony pursuant to HRS 92 (Sunshine Law)**

G. CONSENT CALENDAR

1. Status Reports

- a. Status Report regarding Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1, and Special Management Area Use Permit SMA(U)-2015-6, Tax Map Keys: (4) 4-1-003:004 (por.), 005, 007, 011, and 017 and (4) 4-1-005:014 and 017 = *Coco Palms Hui, LLC*.

2. Director's Report for Project Scheduled for Agency Hearing on August 25, 2020.
NONE

H. EXECUTIVE SESSION

I. GENERAL BUSINESS MATTERS

1. Hearing Officer's Report and Recommendation of Contested Case re Petition to Appeal Decision of the Planning Director's Decision Related to the Notice of Violation and Order to Pay Fines for the Operation of an Illegal Transient Accommodation Use for Property Situated in Haena, Kauai, Hawaii, identified by Kauai Tax Map Key (4) 58005005 containing 26,092 sq. ft. = *Patricia D. McConnell*, Petitioner. [Deferred 5/12/20.]
 - a. Petitioner's Exceptions to Hearing Officer's Report and Recommendation of Contested Case; Request for Oral Argument; Certificate of Service for Case No. CC-2017-4, TMK (4) 5-8-005:005 = *Patricia D. McConnell*, Petitioner. [Deferred 5/12/20.]

J. COMMUNICATION (For Action)

K. COMMITTEE REPORTS

1. Subdivision Subdivision Action matters listed in the Subdivision Committee Agenda (attached)

L. UNFINISHED BUSINESS (For Action)

M. NEW BUSINESS

1. For Action – See Agenda F for Project Descriptions

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter on August 25, 2020. The Planning Commission anticipates meeting via teleconference, but will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes (“H.R.S.”), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR ASEGRETI@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

August 11, 2020

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2021-4	Steve Drapkin	(4) 5-8-008:022	Hanalei	Repair existing deck and stairs
SSD-2021-5	David Schindele	(4) 2-8-017:026 0124	Kōloa	Storage and laundry room conversion